

2-13. Inspections and Information Gathering (1200 TN 350 2-13)**1. AUTHORITY.** Pursuant to the Clean Water Act (CWA), including Sections 308 and 311:

- a. To enter into, upon or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located; have access to and copy records; take samples, and inspect monitoring equipment and methods;
- b. To require the owner or operator of any point source to establish and maintain records; make reports; install, use, and maintain monitoring equipment; sample effluents; and provide information;
- c. To obtain and execute warrants for the purpose of performing an inspection or information gathering;
- d. To carry out any other inspection and information gathering activities authorized by the CWA;
- e. To require the carrying out of any other inspection and information gathering activities authorized by the CWA; and
- f. To designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., 1.c., 1.d., and 1.e.

2. TO WHOM DELEGATED.

- a. The authorities in 1.a., 1.b., 1.c., 1.d., 1.e., and 1.f., above, are delegated to the Director, Water Division (WD); Director, Superfund and Emergency Management Division (SEMD); and Director, Enforcement and Compliance Assurance Division (ECAD).
- b. The authorities in 1.a. and 1.d. are delegated to the Branch Chiefs, Section Chiefs, and staff in SEMD, and ECAD, who possess proper credentials and who are authorized to carry out such activities by the directors.
- c. The authorities in 1.b., 1.e., and 1.f. are delegated to the Chief, Data, Support and Prevention Branch, ECAD; Chief, Water Branch, ECAD; Chief, Preparedness and Response Branch, SEMD; Chief, Wetlands Branch, WD; Chief, Clean Water Branch, WD; and Chief, Drinking Water and Source Protection Branch, WD.

3. LIMITATIONS.

- a. The delegates must consult with the Regional Counsel prior to exercising the authorities in 1.c.
- b. The delegates must obtain concurrence from the division director prior to exercising the authorities in 1.d and 1.e.


2-13. Inspections and Information Gathering (continued)**4. REDELEGATION AUTHORITY.**

- a. This authority may not be redelegated without formal amendment.
- b. The authority in 1.c. may be redelegated to the staff level.
- c. The authority in 1.b., 1.e., and 1.f. may be redelegated to the section chief level, and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 308 and 311 of the CWA, and regulations developed thereunder.
 - b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
6. **SUPERSESSION.** Delegations Manual, CWA, Regional Delegation 2-13, Inspections and Information Gathering, 1200 TN RIII 205, November 30, 2018.

Date: APR 15 2019



Cosmo Servidio
Regional Administrator